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COMMITTEE ON THE RIGHTS OF THE CHILD
Twenty-first session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Concluding observations: NICARAGUA

1. The Committee considered the second periodic report of Nicaragua (CRC/C/65/Add.4) at its 549th and 550th meetings (see CRC/C/SR.549-550), held on 31 May 1999, and adopted* the following concluding observations.

A. Introduction

2. The Committee welcomes the timely submission of the State party's second periodic report, the supplementary written information (CRC/C/65/Add.14) and additional information presented in the course of the dialogue. The Committee expresses its appreciation for the comprehensive nature of the report. The Committee also takes note of the written replies to its list of issues (CRC/C/Q/NIC.2) while regretting their late submission. The Committee is encouraged by the constructive, open and frank dialogue it had with the State party's delegation and welcomes the positive reactions to the suggestions and recommendations made during the discussion. The Committee acknowledges that the presence of a delegation directly involved in the implementation of the Convention allowed for a fuller assessment of the situation of the rights of children in the State party.

B. Follow-up measures undertaken and progress achieved by the State party

3. The Committee welcomes the constitutional reform (1995), which affords constitutional status to the Convention on the Rights of the Child, in line with the Committee's recommendation (see CRC/C/15/Add.36, para. 26).

* At the 557th meeting, held on 4 June 1999.

4. In light of its recommendations (see CRC/C/15/Add.36, para. 26), the Committee welcomes the enactment of the Code on Children and Adolescents (1998), which constitutes a genuine process of civil society participation and has contributed to create awareness of the Convention.

5. In light of its recommendation (see CRC/C/15/Add.36, para. 27), the Committee welcomes the measures taken to strengthen the monitoring role of the National Commission for the Promotion and Defence of the Rights of Children, as well as the adoption of an updated version of the National Plan of Action for Children and Adolescents (1997-2001).

6. The establishment, supported by international cooperation, of special programmes for children such as the Programme for the Integral Care of Nicaraguan Children (PAININ), the Integrated Basic Services Programme (PROSERBI) and the Integrated School Nutrition Programme (PINE), which are in line with the Committee's recommendations (see CRC/C/15/Add.36, paras. 31 and 32), are noted with appreciation. The establishment of the programme "Return of Happiness", which aims at the psycho-social rehabilitation of Nicaraguan children affected by Hurricane Mitch, deserves a special mention.

7. In view of its recommendation (see CRC/C/15/Add.36, para. 41), the Committee welcomes the measures taken by the State party to publicize its initial report (CRC/C/3/Add.25) and the Committee's concluding observations (CRC/C/15/Add.36), as well as the conduct of numerous workshops and public campaigns which have generated debate and awareness of the Convention.

8. With regard to the Committee's recommendation (see CRC/C/15/Add.36, para. 30) regarding the need to establish training programmes for all professionals working with and for children, the Committee welcomes the fact that the National Police has incorporated the Convention into the Police Academy's curriculum and that a training programme on the Convention has begun for police officers. In this connection, the Committee notes with appreciation the willingness of the State party to engage in a technical cooperation programme with the Office of the High Commissioner for Human Rights for the strengthening of human rights, including children's rights, within the law-enforcement agencies.

9. The Committee notes with appreciation the establishment of the network of Mayors' Friends and Defenders of Children and the Municipal Commissions on Children which are the main promoters of municipal plans of action for the defence of the rights of the child.

10. With regard to its previous recommendation (see CRC/C/15/Add.36, para. 31) concerning the need to adopt measures to prevent and combat gender discrimination, the Committee welcomes the enactment of the Law against Domestic Violence (Law No. 230), the establishment of the Nicaraguan Institute for Women and the National Commission to combat violence against women and children, and the creation of the Commissariat for Women and Children. In the same vein, the Committee welcomes the creation (1995) of the National Council for the Integral Attention of Children with Disabilities (CONAINID) as a positive measure for the protection and promotion of the social integration of children with disabilities.

11. The Committee welcomes the numerous initiatives regarding the implementation of its recommendations (see CRC/C/15/Add.36, para. 40) concerning the situation of child labour in the State party. In this connection, the Committee welcomes, inter alia, the reforms to the Labour Code (1997), the signing of a memorandum of understanding (1996) between the State party and the International Labour Organization (ILO) - International Programme for the Eradication of Child Labour (IPEC) for implementing a programme for the eradication of child labour as well as for the establishment of a National Commission for the Eradication of Child Labour (1997), and the adoption of a National Plan of Action against child labour (1998).

12. With regard to the administration of juvenile justice, the Committee welcomes the State party's follow-up measures to the Committee's recommendations (CRC/C/15/Add.36, para. 39), such as the enactment of legislation for the creation of a specialized system on juvenile justice (Code on Children and Adolescents, 1998); the development of training material for law-enforcement officials working with children in conflict with the law; the establishment of an inter-agency committee on juvenile justice; the conduct of a study on the financial and human resources for the full implementation of the juvenile justice system; the development of a project "Integrated support for the juvenile prison population in Nicaragua"; and the separation of children from adults in detention centres.

13. The Committee welcomes the participation of non-governmental organizations in the elaboration of the State party's second periodic report, in the drafting of the Code on Children and Adolescents as well as in the National Commission for the Promotion and Defence of the Rights of Children (CNPDN) and in the elaboration of the National Policy of Comprehensive Attention for Children. The Committee also welcomes the fact that the implementation of the Convention in the State party has become a participatory process with the active participation and support of grass-roots organizations and the private sector.

C. Factors and difficulties impeding further progress in the implementation of the Convention

14. The Committee notes with deep concern the devastating effects of Hurricane Mitch (1998), which had a negative impact on the most vulnerable sectors of the population, including children, especially owing to the damage caused in the agriculture sector and to infrastructure. Hurricane Mitch not only left many dead, missing persons, homeless families and destroyed educational and health-care facilities and services in its wake, but also constituted a setback in the efforts of the State party to gradually make children's rights a living reality. The Committee expresses its solidarity with the State party in its reconstruction efforts.

15. The Committee notes that widespread poverty and long-standing socio-economic disparities within the State party are still affecting the most vulnerable groups, including children, and hamper the enjoyment of the rights of the child in the State party. This situation, the Committee also notes, has been particularly aggravated by severe economic constraints, due in particular to the implementation of structural adjustment programmes and external debt.

D. Principal subjects of concern and the Committee's recommendations

1. General measures of implementation

16. While welcoming the enactment of the Code on Children and Adolescents (1998) and noting the measures taken and plans established for the full implementation of this Code, especially the ones contained in the document entitled "Transformations and Investment in the Human Rights of Children and Adolescents" (1999), the Committee remains concerned that the Code is not fully implemented. In this connection, the Committee is aware that the implementation of the Code entails the creation of a number of institutions and the development of social infrastructure for children, which requires the commitment of a great amount of financial and professional resources. **The Committee recommends that the State party take all available measures, including through international cooperation, to guarantee the full implementation of the Code on Children and Adolescents and supports the State party's initiatives designed to procure international cooperation in this regard. Furthermore, the Committee encourages the State party to continue with its process of legislative reform to ensure that all other domestic laws related to children are in full conformity with the principles and provisions of the Convention.**

17. With regard to the implementation of its recommendation (see CRC/C/15/Add.36. para. 27) concerning the need to improve coordination among various governmental bodies dealing with children's issues, at both the national and local levels, the Committee takes note of the current process of institutional transformation as a result of the enactment of the Code on Children and Adolescents, including the creation of the National Council for the Attention and Integral Protection of Children as the central body in charge of the implementation of the Convention. In addition, the Committee notes with appreciation that the Code on Children and Adolescents has envisaged participation by non-governmental organizations and children within the national council to be established following adoption of a secondary law by the National Assembly. Nevertheless, the Committee is still concerned that the current levels of coordination in the implementation of the Convention are insufficient. **The Committee recommends that the State party take all available measures to accelerate its current process of institutional reform of the coordinating bodies in charge of the implementation of the Convention. The Committee suggests that, before the establishment of the new National Council for the Attention and Integral Protection of Children, the State party undertake a comprehensive review of the mandates and activities of all the governmental institutions working on children's issues in order to maximize its financial and human resources and improve efficiency for the benefit of children. Furthermore, the Committee encourages the State party to continue working in close cooperation with non-governmental organizations working in the field of children's rights. In this connection, the Committee further recommends that the non-governmental organizations and children to be included in the National Council take into account and represent the interests of all groups of children, especially the most vulnerable groups.**

18. In light of its recommendation (see CRC/C/15/Add.36, para. 28) concerning the need to improve the State party's data-collection system, the Committee takes note with satisfaction of the efforts taken in this regard. It remains concerned about the lack of disaggregated data on children's rights. **The Committee recommends that the State party continue with the development of its data-collection system, with a view to including all areas covered by the Convention. Such a system should include all children under 18 years of age and specifically emphasize vulnerable groups of children as a basis for assessing progress achieved in the realization of children's rights, and should be used to design policies for better implementation of the provisions of the Convention. In this regard, the Committee encourages the State party to seek international assistance from, inter alia, UNICEF.**

19. With regard to the implementation of its recommendation (see CRC/C/15/Add.36, para. 29) concerning the creation of the Office of the Ombudsman for Children, the Committee notes with appreciation that legislation for the creation of the Office of the Human Rights Ombudsman, including the creation of a subsidiary Office for Children's Rights, has been enacted. Nevertheless, it regrets the fact that the officials themselves have not yet been appointed. **The Committee encourages the State party to continue with its efforts to appoint the appropriate authorities for the Office of the Human Rights Ombudsman and the Office Children's Rights.**

20. While welcoming the measures taken by the State party to implement the Committee's recommendation (see CRC/C/15/Add.36, para. 30) regarding the need to make the principles and provisions of the Convention widely known and understood by the population at large, the Committee remains concerned at the insufficiency of these measures, especially among indigenous groups (e.g. Miskitos and Ramas) as well as in rural areas. **The Committee recommends that the State party strengthen its efforts to disseminate the principles and provisions of the Convention as a measure to sensitize society about children's rights. Special emphasis should be placed on the dissemination of the Convention among indigenous groups as well as in rural and remote areas. In this regard, the Committee further recommends the involvement of local structures such as the Municipal Commissions on Children and non-governmental organizations in the development of a national awareness campaign on the Convention. Furthermore, the Committee recommends the continuation of efforts to publicize the Convention through methods that take into consideration the specific needs of indigenous groups. The Committee encourages the State party to consider seeking technical assistance in this area from, inter alia, UNICEF.**

21. With regard to the provision of training for professionals working with and for children (see Committee's recommendation, CRC/C/15/Add.36, para. 30), the Committee welcomes the efforts undertaken in this area such as those adopted in the framework of the PAININ programme by the Ministry of Health, as well as the provision of training on the Convention for teachers, by the Ministry of Education. **The Committee encourages the State party to continue undertaking systematic education and training programmes on the provisions of the Convention for all professional groups working for and with children, such as parliamentarians, judges, lawyers, law-enforcement officials, civil servants, municipal workers, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists,**

and social workers. Furthermore, special attention should be paid to the provision of training for professionals working with and for children. Technical assistance from, inter alia, the Office of the High Commissioner for Human Rights and UNICEF could be requested in this regard.

22. The Committee welcomes the fact that the State party has taken children's rights into consideration in designing its social policies and programmes, especially in the context of its efforts to seek international cooperation for reconstruction after Hurricane Mitch. Nevertheless, in view of the persistent economic constraints, and taking into account the efforts undertaken, especially in the area of debt reduction, to allocate substantial financial resources for the benefit of children, the Committee reiterates its recommendation (see CRC/C/15/Add.36, para. 32) that such measures should be undertaken "to the maximum extent of [...] available resources" in light of articles 2, 3 and 4 of the Convention, including through international cooperation. **The Committee encourages the State party to continue ensuring that sufficient budgetary allocations are provided to social services for children and that particular attention is paid to the protection of children belonging to vulnerable and marginalized groups. Furthermore, the Committee encourages the State party to continue with its efforts to reduce the burden of its external debt, with special attention to maintaining the provision of social policies and programmes for children as enshrined in article 4 of the Convention.**

2. Definition of the child

23. While the Committee is aware that a reform to the State party's Constitution would be necessary in order to increase the number of years of compulsory education from six to nine years, as previously recommended by the Committee (see CRC/C/15/Add.36, para. 38), it regrets the lack of measures taken to harmonize the minimum legal ages for access to work (14) and for ending compulsory education (12). In addition, while the Committee takes note that the draft Code on the Family will equalize the minimum legal ages for marriage of boys and girls, it remains concerned (see CRC/C/15/Add.36, para. 13) about the current differences. **The Committee recommends to the State party to undertake the appropriate legal reform and harmonize the minimum legal ages for work and compulsory education by raising the latter, in order to bring it into full conformity with the principles and provisions of the Convention. The Committee also recommends to the State party to raise and equalize the minimum legal age of marriage of boys and girls.**

3. General principles

24. With regard to the implementation of article 2 of the Convention, the Committee remains concerned (see CRC/C/15/Add.36, para. 15) about the persistent regional disparities between the Atlantic and Central/Pacific regions, the growing disparities between urban and rural areas as well as the increasing number of people living in urban poor and marginalized areas. Furthermore, the predominance of discrimination on the basis of ethnic origin, gender, social status and disability is also a major concern. **The Committee reiterates its recommendation to the State party to reduce economic, social and regional disparities, including between urban and rural areas, to prevent discrimination against the most disadvantaged groups of children, such as the**

girl child, children with disabilities, children belonging to indigenous and ethnic groups, children living in and/or working on the streets and children living in rural areas. The Committee also recommends that the State party undertake educational campaigns to raise awareness of discrimination on the grounds of gender and ethnic origin with a view to its eliminnation.

25. The Committee takes note that domestic legislation (e.g. the Code on Children and Adolescents) has included the principles of "the best interests of the child" (art. 3) and "respect for the views of the child" (art. 12). Nevertheless, concern is expressed at the lack of practical implementation of these principles, in particular that the child's right to express his/her views in a judicial or administrative procedure affecting him/her, as established in article 17 of the Code on Children and Adolescents, may not be respected in all cases in a culture where respect for the views of the child is not fully developed. The Committee reiterates its concern (see CRC/C/15/Add.36, para. 9) that in practice these principles are not fully respected due to the fact that children are not yet perceived as persons entitled to rights and that the rights of the child are often undermined by adults' interests. **The Committee recommends that further efforts be made to ensure the implementation of the principles of "best interests of the child" and "respect for the views of the child", especially his or her right to express his/her views in the family, at school, within other institutions and in society in general. These principles should also be reflected in all policies and programmes relating to children. Awareness-raising among the public at large, including communities and religious leaders as well as educational programmes, on the implementation of these principles should be reinforced in order to change traditional perceptions regarding children as objects and not as subjects of rights. Furthermore, with regard to article 17 of the Code on Children and Adolescents, the Committee recommends that the evolving capacity of the child should always be taken into consideration in all judicial and administrative processes or decisions affecting the child.**

4. Civil rights and freedoms

26. While noting the measures taken by the State party in the area of birth registration, especially those carried out by the Supreme Electoral Council in cooperation with UNICEF, the Ministry of Health and municipal governments, the Committee remains concerned (see CRC/C/15/Add.36, para. 16) about the insufficient registration of births and the lack of awareness and understanding of registration procedures, especially in rural areas and among indigenous communities. **In light of article 7 of the Convention, the Committee recommends that the State party continue taking all available measures to ensure the immediate registration of the births of all children, especially in rural areas and among indigenous communities. Furthermore, the Committee encourages the State party to ensure that birth registration procedures are widely known by the population at large, if necessary in cooperation with non-governmental organizations and with the support of international organizations.**

27. With regard to the implementation of its recommendation (see CRC/C/15/Add.36, para. 33) concerning participatory rights of children, the Committee notes with appreciation the initiatives within the Municipal Commissions on Children as well as the pilot project on student governments

developed by the Ministry of Education. Nevertheless, the Committee is still concerned that participatory rights of children have not been sufficiently addressed by the State party. **In light of articles 15, 16, 17 and other related articles of the Convention, the Committee recommends that further measures, including legislative reform, be undertaken to promote the participation of children in the family, the school and other institutions and social life, as well as the effective enjoyment of their fundamental freedoms, including the freedom of opinion, expression, and association.**

28. In light of its recommendation (see CRC/C/15/Add.36, para. 34), the Committee welcomes the fact that domestic legislation (Code on Children and Adolescents) has introduced protection of the child from information and material injurious to his/her well-being and guarantees access to appropriate information (art. 17) and protection of the child's right to privacy (art. 16). However, the Committee remains concerned about the lack of secondary legislation regulating the practical implementation of these rights. **The Committee encourages the State party to continue with its process of legal reform and allocation of appropriate resources in order to establish practical procedures and regulations to protect children from harmful information and to guarantee their access to appropriate information and their right to privacy. The Committee further recommends that it take into consideration the Committee's recommendations emanating from its day of general discussion (1996) on "The child and the media" (CRC/C/57).**

29. While noting that domestic legislation protects children against torture, the Committee is concerned about the insufficient judicial procedures to investigate cases of police brutality, ill-treatment or abuse of children. **The Committee recommends that the State party reinforce its judicial mechanisms to deal with complaints of police brutality, ill-treatment and abuse of children, and that cases of abuse of children be duly investigated. The Committee encourages the State party to consider the possibility of ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.**

5. Family environment and alternative care

30. The Committee takes note of the draft Code on the Family and the recent creation of the Ministry on the Family as measures taken in line with the Committee's recommendation (see CRC/C/15/Add.36, para. 35) concerning the need to focus on family and social programmes. **The Committee reiterates its recommendation to the State party to reinforce its efforts in addressing family issues such as family disintegration, adolescent pregnancies and violence within the family. Furthermore, the Committee recommends that the State party allocate adequate financial and human resources for family and social programmes.**

31. The Committee takes note that the Code on Children and Adolescents includes legal measures for the protection of children deprived of a family environment and that further measures have been included in the draft Code on the Family. Nevertheless, the Committee remains concerned (see CRC/C/15/Add.36, para. 18) about the inadequacy of measures taken to ensure that the conditions in institutions are regularly monitored and that the placement of children in public and private institutions is not periodically

reviewed. **The Committee recommends that the State party continue taking the necessary steps for establishing alternative measures to institutional care of children (e.g. fostering). The Committee further recommends that the State party reinforce its monitoring and evaluation system to ensure the adequate development of children living in institutions. The Committee encourages the State party to continue taking measures to review periodically the placement and treatment of children as enshrined in article 25 of the Convention.**

32. While noting that the process of adoption is regulated by the Law on Adoptions (1981), which reflects article 21 of the Convention, and that further measures have been introduced in the draft Code on the Family, the Committee regrets that the State party has not fully complied with the implementation of its recommendation (see CRC/C/15/Add.24, para. 26). **The Committee reiterates its suggestion to the State party to consider accession to the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption of 1993.**

33. With regard to the implementation of its recommendation (see CRC/C/15/Add.36, para. 35) concerning the need to take all available measures to prevent and combat cases of abuse and ill-treatment of children, the Committee welcomes the enactment of the law against domestic violence (1996). Nevertheless, the Committee is of the opinion that these measures need to be reinforced. Concern is expressed at the insufficient public awareness regarding the harmful consequences of ill-treatment and abuse, including sexual abuse, both within and outside the family. Concern is also expressed at the insufficient resources, both financial and human, as well as at the lack of adequately trained personnel, to prevent and combat such abuse. The insufficiency of rehabilitation measures and facilities for such children and their limited access to justice are also matters of concern. **In light of, inter alia, articles 19 and 39 of the Convention, the Committee recommends that the State party take all appropriate measures, including setting up multidisciplinary programmes and rehabilitation measures to prevent and combat child abuse and ill-treatment of children within the family, at school and other institutions, including the juvenile justice system, and in society at large. It suggests, inter alia, that law enforcement should be strengthened with respect to such crimes; adequate child-friendly procedures and mechanisms to deal with complaints of child abuse should be reinforced in order to provide children with prompt access to justice to avoid impunity for the offenders. Furthermore, educational programmes should be established to combat traditional attitudes within society regarding this issue. The Committee encourages the State party to consider seeking to this effect international cooperation from, inter alia, UNICEF and international non-governmental organizations.**

6. Basic health and welfare

34. In light of its recommendation (see CRC/C/15/Add.36, para. 37), the Committee welcomes the measures taken to improve the health standards of children, in particular initiatives related to the reduction of infant mortality, such as the Integrated Management of Childhood Illnesses, implemented in cooperation with the World Health Organization and UNICEF, the establishment of child-friendly hospitals and the promotion of breastfeeding. Nevertheless, the Committee remains concerned about the persistent regional

disparities in access to health care, high rates of malnutrition in children under five years of age and in school-age children, and low access to health-care services in rural and remote areas. The Committee recommends that the State party continue taking all appropriate measures, including through international cooperation, to ensure access to basic health care and services for all children. More concerted efforts need to be taken to guarantee equal access to health care, with special emphasis on rural areas, to combat malnutrition and ensure the adoption and implementation of a national nutritional policy and plan of action for children.

35. With regard to adolescent health issues, (see Committee's concern, CRC/C/15/Add.36, para. 20), the Committee remains concerned at the high and increasing rate of teenage pregnancy, the high maternal mortality rate related to abortion and the insufficient access by teenagers to reproductive health education and counselling services, including outside the school system. The Committee is also concerned about the increasing rate of children infected by HIV/AIDS. **The Committee recommends to the State party to continue taking measures for the prevention of HIV/AIDS and to take into consideration the Committee's recommendations adopted on its day of general discussion on "Children living in a world with HIV/AIDS" (CRC/C/80). It also suggests that a comprehensive and multidisciplinary study be undertaken to understand the scope of adolescent health problems as a basis for promoting adolescent health policies and strengthening reproductive health education. The Committee also recommends that further efforts be undertaken for the development of child-friendly counselling services as well as care and rehabilitation facilities for adolescents. International technical assistance from, inter alia, UNICEF and UNAIDS is also recommended.**

36. With regard to the situation of children with disabilities, while the Committee welcomes the establishment of CONAINID, it remains concerned at the lack of adequate infrastructure, limited qualified staff and specialized institutions for these children. In addition, the Committee is particularly concerned at the lack of governmental policy and programmes for children with disabilities and at the lack of monitoring of private institutions for these children. **In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted at its day of general discussion on "Children with disabilities" (CRC/C/69), the Committee recommends that the State party develop early identification programmes to prevent disabilities, implement alternative measures to the institutionalization of children with disabilities, envisage awareness-raising campaigns to reduce discrimination against them, establish special education programmes and centres for them and encourage their inclusion in the educational system and in society, and establish adequate monitoring of private institutions for children with disabilities. The Committee further recommends to the State party to seek technical cooperation for the training of professional staff working with and for children with disabilities.**

7. Education, leisure and cultural activities

37. In light of its recommendation (see CRC/C/15/Add.36, para. 38) on the educational system, the Committee notes with appreciation the follow-up measures undertaken by the State party in this field, especially the Ministry

of Education's Basic Education Project, undertaken in cooperation with the World Bank, which aims at improving the quality, equity and efficiency of the education system. Nevertheless, the Committee remains concerned, inter alia, about the high drop-out rates from primary and secondary schools, especially in rural areas, by the poor condition of schools and the scarcity of textbooks. The Committee also regrets that the Convention has not been totally incorporated into the school curricula. **The Committee recommends that the State party continue with its efforts in the field of education by strengthening its educational policies and system in order to establish retention programmes and vocational training for drop-outs, to improve school infrastructure, to continue with curricular reform, including teaching methodologies, to eradicate urban/rural disparities with reference to school enrolment and attendance, and to implement special education programmes taking into account the needs of working children. Furthermore, the Committee encourages the State party to continue with its efforts to include the teaching of the Convention in the school curricula.**

8. Special protection measures

38. Although the Committee is aware of the State party's efforts for the elimination of the landmines planted in its territory, it expresses its concern about the fact that these mines were displaced by the effects of Hurricane Mitch and therefore pose a threat to the lives of the population, especially children. **The Committee recommends to the State party to continue taking all necessary measures, including awareness-raising programmes on landmines, and training for the population at large, with a view to protecting children. In this regard, the Committee encourages the State party to continue working in cooperation with international agencies and non-governmental organizations for the remapping, clearance and destruction of landmines. Furthermore, in light of article 39 of the Convention, the Committee recommends that the State party take all appropriate measures to promote the physical and psychological recovery and social reintegration of children victim of landmines and of children victim of past armed conflict.**

39. With regard to the situation of children belonging to indigenous groups living in the Atlantic region (e.g. Miskitos and Ramas), the Committee remains concerned about their limited enjoyment of all the rights enshrined in the Convention, in particular their access to health and education. **In light of article 30 of the Convention, the Committee recommends to the State party to take all necessary measures to protect children belonging to indigenous groups and to guarantee that they enjoy all the rights recognized in the Convention on the Rights of the Child, with special emphasis on their access to health and education.**

40. While welcoming the measures taken for the eradication of child labour, in line with its recommendation (see CRC/C/15/Add.36, para. 40), the Committee is still concerned that economic exploitation remains one of the major problems affecting children in the State party. The Committee remains concerned at the insufficient law enforcement and the lack of adequate monitoring mechanisms to address this situation, especially in the informal sector and in domestic settings. **In light of articles 3 and 32 and other related articles of the Convention, the Committee recommends that the State party continue working in cooperation with ILO/IPEC for the full**

implementation of the national plan for the elimination of child labour and undertake all the actions envisaged within its memorandum of understanding with ILO/IPEC. The situation of children involved in hazardous labour, especially in the informal sector, including domestic labour, where the majority of working children are found, deserves special attention. Furthermore, the Committee recommends that labour legislation regulating the work of children should be enforced, the labour inspectorates strengthened and penalties imposed in cases of violation.

41. With regard to the issue of children living and/or working on the streets, the Committee welcomes the establishment of the "Plan of Action to Rescue Street Children" which aims at the social reintegration of this group of children. **The Committee recommends to the State party to continue working in cooperation with non-governmental organizations in this area and continue adopting appropriate programmes and policies for the protection and rehabilitation of these children.**

42. While the Committee notes with appreciation the commitments made by the State party at the seminar held in Montevideo on 18 and 19 March 1999 on the issue of the commercial sexual exploitation of children, it expresses concern at the absence of data and a situation analysis on this issue as well as the lack of a national plan of action to tackle this problem. **In light of article 34 and other related articles of the Convention, the Committee recommends that the State party conduct a study on the issue of commercial sexual exploitation of children with a view to designing and implementing appropriate policies and measures, including care and rehabilitation, to prevent and eradicate this phenomenon, to reinforce its legislation, including punishment of perpetrators, and to conduct awareness-raising campaigns on the issue. The Committee recommends to the State party to take into account the recommendations formulated in the Agenda for Action adopted at the World Congress Against Commercial Sexual Exploitation of Children held in Stockholm in 1996.**

43. While the Committee is aware that the full implementation of the new juvenile justice system requires substantial financial and human resources as well as the development of infrastructure, as established in the document entitled "Transformation and investment in the human rights of children and adolescents" (May 1999), it remains concerned that the juvenile justice system is not fully implemented. Concern is also expressed about the poor conditions in prisons and detention centres for juveniles; the lack of correctional centres for the rehabilitation of children in conflict with the law; that access to justice is not guaranteed in a prompt manner for children in detention; and that due process is not always guaranteed. Concern is further expressed at the aggravated penal penalties regarding "property offences" committed by children. **In light of articles 37, 40 and 39 of the Convention and other relevant United Nations standards in this field, the Committee recommends that the State party effectively implement its juvenile justice system. The Committee encourages and supports the State party's initiatives for the procurement of international cooperation in this regard. The Committee recommends that the State party give particular attention to ensuring the improvement of the conditions of children living in prisons and detention centres, to developing correctional centres for the rehabilitation of children in conflict with the law, to ensuring that violence is not used by**

law-enforcement officials, to ensuring that deprivation of liberty is used only as a measure of last resort, to guaranteeing prompt access to justice for children in pre-trial detention, and to developing alternative measures to deprivation of liberty. Furthermore, the Committee recommends that the State party consider reviewing its penal policies concerning "property offences" committed by children, and establish alternative measures to address the needs of children involved in this type of offence.

44. The Committee welcomes the State party's willingness to engage in a technical cooperation programme with the Office of the High Commissioner for Human Rights for the provision of training in human rights standards, including children's rights, for the police. In this connection, the Committee recommends that the State party continue providing training programmes on the relevant international standards for judges and all professionals and staff involved with the juvenile justice system. In this regard, the Committee further suggests that the State party consider seeking additional technical assistance from, inter alia, the Office of the United Nations High Commissioner for Human Rights, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the Coordination Panel on Juvenile Justice.

45. Finally, in light of article 44, paragraph 6, of the Convention, the Committee recommends that the second periodic report and written replies submitted by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including concerned non-governmental organizations.